



A BILL FOR AN ORDINANCE

TO AMEND CHAPTER 6, REVISED ORDINANCES OF HONOLULU 1990, AS AMENDED, RELATING TO THE CLEAN WATER AND NATURAL LANDS FUND.

BE IT ORDAINED by the People of the City and County of Honolulu:

SECTION 1. The purpose of this ordinance is to create a fund to receive and expend monies for the purchase of or to otherwise acquire real estate or any interest therein for land conservation in the city, pursuant to Chapter 6, Article IX, Section 9-204, of the 1973 Revised Charter of the City & County of Honolulu (2000 Edition).

SECTION 2. Chapter 6, Revised Ordinances of Honolulu 1990, as amended, is amended by adding a new article to be appropriately designated by the revisor of ordinances and to read as follows:

"Article __. Clean Water and Natural Lands Fund

Sec. 6-__.1 Creation.

There is hereby created and established a special fund to be known as the "Clean Water and Natural Lands Fund" (hereinafter "fund").

Sec. 6-__.2 Purpose.

The purpose of the fund is to provide for the purchase of or to otherwise acquire real estate or any interest therein for land conservation in the city for the following purposes: protection of watershed lands to preserve water quality and water supply; preservation of forests, beaches, coastal areas and agricultural lands; public outdoor recreation and education, including access to beaches and mountains; preservation of historic or culturally important land areas and sites; protection of significant habitats or ecosystems, including buffer zones; conservation of land in order to reduce erosion, floods, landslides, and runoff; and acquisition of public access to public land and open space.

Sec. 6-__.3 Deposit.

There shall be deposited into the fund an amount equal to one-half of the appropriation by the city council of a minimum of one percent of the estimated real property tax revenues, plus any interest earned on deposits in this fund.



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Sec. 6-__4 Report required.

Within fifteen calendar days after the mayor submits the budget documents specified in Section 9-102.1, Revised Charter of Honolulu, to the council, the mayor shall also submit a report on the fund which shall include but not be limited to:

- (1) The calculation of the minimum amount required by the charter to be appropriated from the estimated real property tax revenues and deposited into the fund and the amount to be deposited into the fund as provided in the proposed budget for the ensuing fiscal year, which shall at least equal the minimum amount.
- (2) An explanation of the operating and capital program for the ensuing six fiscal years for the use of the fund. The explanation may be in the form of a functional plan spanning at least the ensuing six fiscal years for the fund, adopted by the council, and any annual updates thereto, also adopted by the council. If applicable, the explanation shall demonstrate that the operating and capital program complies with the appropriation priorities the council has established for the fund. Identification of applicable information contained in the administration's budget submittal may satisfy this requirement.
- (3) The amount included in the mayor's proposed executive operating and capital budgets for the ensuing fiscal year from the fund, separately identifying the amount to be appropriated for administrative expenses and demonstrating that the appropriation complies with the charter's maximum amount, and an explanation of how the budgeted amount complies with the charter requirement that the amount does not substitute for but is in addition to the appropriations historically made for the purposes set forth in the charter.
- (4) A list of proposed amendments to the public infrastructure maps required by the proposed appropriations from the fund.

Sec. 6-__5 Additional requirements.

- (a) All expenditures from this fund shall be made consistent with the priorities established by a commission created by council resolution or, in the absence of a commission, with the priorities established by the council by resolution.



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- (b) Monies in this fund may be used for the payment of principal, interest, and premium, if any, due with respect to bonds issued subsequent to enactment of this ordinance and pursuant to Sections 3-116 or 3-117 of the city charter, in whole or in part, for the purposes enumerated above and for the payment of costs associated with the purchase, redemption or refunding of such bonds; and
- (c) At any given time, no more than five percent of the monies in this fund shall be used for administrative expenses.
- (d) Any balance remaining in this fund at the end of any fiscal year shall not lapse, but shall remain in the fund, accumulating from year to year. The monies in this fund shall not be used for any purposes except those listed in this article.
- (e) The appropriations to this fund shall not substitute for, but shall be in addition to, those appropriations historically made for the purposes stated in this article.

Sec. 6-__6 Administration.

The director of budget and fiscal services shall administer the fund."



CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

ORDINANCE 07-18

BILL 9 (2007), CD2

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SECTION 3. This ordinance shall take effect upon its approval.

INTRODUCED BY:

Barbara Marshall (BR)

DATE OF INTRODUCTION:

January 18, 2007
Honolulu, Hawaii

Councilmembers

APPROVED AS TO FORM AND LEGALITY:

Amy R. Kuroki
Deputy Corporation Counsel

APPROVED this 20th day of June, 2007.

Mufi Hannemann
MUFU HANNEMANN, Mayor
City and County of Honolulu

CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII
CERTIFICATE

ORDINANCE 07-18

BILL 9 (2007), CD2

Introduced: 1/18/07 By: BARBARA MARSHALL (BY REQUEST)

Committee: BUDGET

Title: A BILL FOR AN ORDINANCE TO AMEND CHAPTER 6, REVISED ORDINANCES OF HONOLULU 1990, AS AMENDED, RELATING TO THE CLEAN WATER AND NATURAL LANDS FUND.

Links: [BILL 9 \(2007\)](#)
[BILL 9 \(2007\), CD1](#)
[BILL 9 \(2007\), CD2](#)
[CR-95](#)

COUNCIL	01/24/07	BILL PASSED FIRST READING AND REFERRED TO THE COMMITTEE ON BUDGET.
APO	Y	CACHOLA Y DELA CRUZ Y DJOU Y GARCIA Y
KOBAYASHI	Y	MARSHALL Y OKINO Y TAM E
BUDGET	02/07/07	BILL DEFERRED IN COMMITTEE.
BUDGET	03/28/07	CR-95 – BILL REPORTED OUT OF COMMITTEE FOR PASSAGE ON SECOND READING AND SCHEDULING OF A PUBLIC HEARING AS AMENDED IN CD1 FORM.
PUBLISH	03/31/07	PUBLIC HEARING NOTICE PUBLISHED IN THE HONOLULU STAR-BULLETIN.
COUNCIL/ PUBLIC HEARING	04/11/07	BILL PASSED SECOND READING AS AMENDED (BILL 9 (2007), CD1), CR-95 ADOPTED, PUBLIC HEARING CLOSED AND REFERRED TO BUDGET COMMITTEE.
APO	Y	CACHOLA Y DELA CRUZ Y DJOU Y GARCIA Y
KOBAYASHI	Y	MARSHALL Y OKINO Y TAM Y
PUBLISH	04/16/07	SECOND READING NOTICE PUBLISHED IN THE HONOLULU STAR BULLETIN.
BUDGET	05/16/07	BILL DEFERRED IN COMMITTEE.
SPECIAL BUDGET	05/23/07	CR-215 – BILL REPORTED OUT OF COMMITTEE FOR PASSAGE ON THIRD READING AS AMENDED IN CD2 FORM
COUNCIL	06/06/07	BILL PASSED THIRD READING AS AMENDED (BILL 9 (2007), CD2) AND CR-215 ADOPTED.
APO	Y	CACHOLA Y DELA CRUZ Y DJOU Y GARCIA Y
KOBAYASHI	Y	MARSHALL Y OKINO Y TAM Y

I hereby certify that the above is a true record of action by the Council of the City and County of Honolulu on this BILL.


DENISE C. DE COSTA, CITY CLERK


BARBARA MARSHALL, CHAIR AND PRESIDING OFFICER